

**Patent and Trademark Office**Address : COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

07/558,759 07/27/90 ROSS

H 4147

EXAMINER

MUIR, P

POLSTER, POLSTER AND LUCCHESI
763 SOUTH NEW BALLAS ROAD
ST. LOUIS, MO 63141

ART UNIT PAPER NUMBER

2306

5

DATE MAILED:

08/18/92

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS☐ This application has been examined ☒ Responsive to communication filed on 5/18/92 ☒ This action is made final.A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-15 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-15 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Serial No. 558759

-2-

Art Unit 2306

Claims 1-4, 9, 10, 12 and 14 are rejected under 35 U.S.C. § 103 as being unpatentable over Rosenberg in view of Ogaki.

These claims are rejected for the reasons given in the office action mailed 1/14/92.

Referring now to the amendment adding the limitation to store the text in digital form, the examiner submits that it was well known at the time of the invention to store text in digital form. It would have been obvious to store the text in digital form in order to increase the flexibility of the machine and also minimize the amount of mechanical components.

Claims 5-8, 11, 13 and 15 are rejected under 35 U.S.C. § 103 as being unpatentable over Rosenberg in view of Ogaki as applied to claims 1, 12 and 14 above, and further in view of Freedman.

These claims are rejected for the reasons given in the office action mailed 1/14/92.

Applicant's arguments filed 5/18/92 have been fully considered but they are not deemed to be persuasive.

The Rosenberg patent is concerned with speed of printout. At the time of the present invention, computers were powerful enough so that they could digitally stored data could compete with microfilm stored data as far as printing speed. Rosenberg's statement at column 5 also indicates digital retrieval for text printing was considered but discarded since printing speed would be too low, due to the low power of the computer at the time of

Serial No. 558759

-3-

Art Unit 2306

the Rosenberg invention. Thus at the time of the invention it would have been obvious to digitally store data rather than on microfilm since printing speed would have not been lost.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Muir whose telephone number is (703) 308-0781.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0754.

**PATRICK MUIR
PATENT EXAMINER
GROUP 230**

PM/ss
August 13, 1992

David H. Malzahn
**DAVID H. MALZAHN
PRIMARY EXAMINER
ART UNIT 2306**